

REMARKS

The above application has again been carefully reviewed in light of the last Office Action dated July 10, 2009. All of the claims have also been rejected under 35 USC 102 as anticipated by the patent to Stein, 5,282,343.

Claims 12 and 13 have also been rejected as indefinite under 35 U.S.C. §112 due to lack on antecedent basis for the term "their end surfaces". This issue has been corrected herein by proper insertion of support in parent Claim 1.

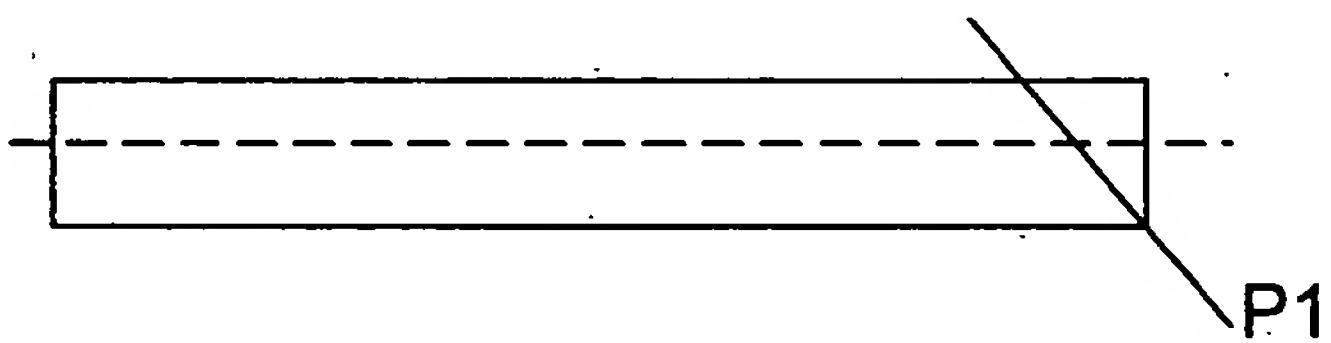
With respect to the prior art rejection, Applicant believes that there are significant distinctions between the present invention and the construction of the Stein patent.

Counsel appreciates the detailed analysis by the Examiner relative to the constructions of Stein and the present Applicant. Nevertheless, as emphasized further herein, and in view of amendments made in the parent claim, patentability is believed to be present.

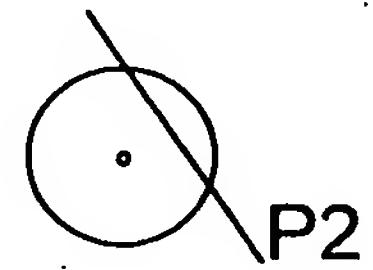
An important distinction rests in the interpretation of the terms "axially" and "laterally" in relation to the construction element or log. On page 3, lines 25-27, it is stated: "For the sake of understanding it should be mentioned that when axial and lateral projections with inclined planes are discussedthe axial projections have laterally inclined

planes while the *lateral* projections have axially inclined planes." Also see page 4, lines 32-34, which states, "When in the following the terms *lateral* and *axial* are used, it should be understood that these terms are solely in relation to the axis of the log or end constructional element to which the cogging piece is question is attached."

Of course an *axis* is a one dimensional concept or element wherein, a *plane* is really a two-dimensional element. This may lead to some confusion. Any plane that does not entirely follow the axis at a fixed distance (*d*) therefrom (including *d*=0, may be seen to be a plane that is axially inclined. However, it is clear that the axially inclined surfaces of the present invention as now claimed fulfill this requirement as shown in the drawing lower left. Note the drawings below:



Log in side view with axially inclined surface P1



Log in end view with laterally inclined surface P2

It will be appreciated that the laterally inclined surfaces of the present invention stand at 90° in relation to the axially inclined surfaces as visualized in the drawing above right. That is, the plane is parallel to the axis and never intersects it.

In the Stein patent, the so called "laterally inclined surfaces" are not a surface according to the definition and the right-hand drawing. To the contrary, it is clear from Figure 1 of the Stein patent that these "laterally inclined surfaces" actually intersect the axis of the construction elements or logs and are therefore axially inclined according to applicant's definition.

It is not understood why Stein refers to them as "laterally". The present Applicant identifies and uses a more accurate and precise term in the amended independent claim 1 in order to overcome any confusion. The Examiner should also note that nowhere in the Stein patent, including the drawings, specification or claims, are the words "lateral" or "laterally" to be found.

The critical and defining element of Applicant's claim is the laterally inclined surface which is not present in the Stein disclosure. This construction results in a very tight joinder of the constructional elements obviating air gaps and

In view of the Amendments noted above, reconsideration of the final rejection of the claims is solicited with a view toward allowance and an early and favorable action is solicited.

Respectfully submitted,

By



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